

The Town of Lake Park
Community Development Department
CODE COMPLIANCE BOARD
MEETING MINUTES
FEBRUARY 15, 2007
7:00 P.M.

CALL TO ORDER

The Code Compliance Board of the Town of Lake Park met in regular session on Thursday, February 15, 2007, in the Commission Chamber, Town Hall. The Meeting was called to order at 7:04 p.m. by Chairperson Desca Dubois.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairperson Desca Dubois.

ROLL CALL

Code Compliance Board Members **present** were:

Desca Dubois, Chair
Barbara Bursey, Co-Chair
Genanne Doughty
Robin Maibach
Christina Catasus
Jeremy Penchansky (arrived at 7:15 p.m.)

Also in attendance:

Town Attorney Thomas J. Baird
Patrick Sullivan, Director of Community Development
Greg Durgin, Code Compliance Officer
Kim Rowley, Code Compliance Administrative Secretary

SWEARING IN OF WITNESSES

Staff Members, Respondents, and members of the audience wishing to testify before the Board were sworn in by Town Attorney Thomas J. Baird.

APPROVAL OF MINUTES

A motion was made by Co-Chair Barbara Bursey to approve the minutes of the November 16, 2006, and January 18, 2007, Code Compliance Board Meetings as submitted. The motion was seconded by Board Member Genanne Doughty and the motion carried unanimously.

VIOLATION CASES

Prior to presenting the first violation case, Officer Durgin announced that Code Compliance Officer David Caban is no longer with the Town and that Doris Bainter, Code Compliance Officer, has replaced him.

Officer Durgin informed the Board that the Code Compliance Division recently implemented the "Inkforce" code compliance software program, a top-of-the-line software program which allows for Internet and GIS access, as well as immediate delivery of Notice of Violations via laptop while out in the field. Officer Durgin also informed the Board that agendas produced through the Inkforce program have a different format than they are accustomed to and pointed out some specific changes.

Agenda No.	Case Number	Date Issued	Req'd Action
1	06120031	12/12/2006	

Owner	Address
PEACOCK TIMOTHY & PEACOCK MISTY	341 HAWTHORNE DR Town of Lake Park FL, 33403

Description
No bldg pmt. for housing addition under construction/shed constructed and completed within the setback.

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>
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Days to
Comply
within
issuance
date

Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54- 100	Permits.	2
Chapter 78 ZONING*	Sec. 78-64	R-1 residence districts.	2

Officer Durgin presented the facts of Case No. 06120031 and informed the Board that the unresolved violation is for Sec. 54-100; Permits, for the enclosure of windows at 341 Hawthorne Drive. **Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than March 12, 2007, failing which a fine of \$100.00 per day be imposed for every day the violation continues to exist thereafter. Additionally, administrative hearing costs in the amount \$160.75 shall be paid within ten (10) days of the Hearing. If compliance is achieved by March 12, 2007, administrative costs shall be waived.** Photos were shown as evidence.

MOTION: Co-Chair Bursey made a motion to find the violation and to give the Respondent until March 12, 2007, to come into compliance, failing which a fine of \$100.00 per day shall be imposed and administrative costs in the amount of \$160.75 shall be paid within ten (10) days of this Hearing. The Motion was seconded by Board Member Doughty and carried unanimously.

Agenda No.	Case Number	Date Issued	Req'd Action
2	06100006	10/3/2006	
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Owner	Address		
ROBINSON ANDRE R &	204 E JASMINE DR Town of Lake Park FL, 33403		
Description			
Affix tag to blue Oldsmobile			
Violations			
<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Outdoor storage for single-family and duplex sites.	6

Officer Durgin presented the facts of Case No. 06100006 regarding an Oldsmobile vehicle with no tag, a violation of Sec. 68-3; Outdoor Storage. Officer Durgin explained that a 45-day extension was previously granted by the Code Compliance Board to Andre Robinson in which he was ordered to comply

by November 27, 2006. As of February 6, 2007, the violation remains unresolved. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than February 26, 2007, failing which a fine of \$100.00 per day shall be imposed for every day the violation continues to exist thereafter. Additionally, administrative hearing costs in the amount \$166.50 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

Mr. Robinson addressed the Board and explained that the Oldsmobile has no engine and is inoperable. Originally the vehicle was parked on the swale and he moved it and placed it in his carport. Mr. Robinson stated that since the vehicle is inoperable he does not understand why he cannot leave it parked in his carport. There was discussion regarding Sec. 68-3 Outdoor Storage and the definition of outdoor storage regarding vehicles.

MOTION: Board Member Maibach made a motion to find the violation and to give the Respondent until February 26, 2007, to come into compliance, failing which a fine of \$100.00 per day shall be imposed and administrative costs in the amount of \$166.50 shall be paid within ten (10) days of this Hearing. The Motion was seconded by Board Member Doughty and carried unanimously.

Agenda No.	Case Number	Date Issued	Req'd Action
3	06100118	10/20/2006	

Owner	Address
BRYANT DANA M & BRYANT SALLY W	828 MAGNOLIA DR Town of Lake Park FL, 33403

Description
Overgrown lawn, bldg debris, egress.

Violations

<u>Ordinance/Regulation</u>	<u>Section</u>	<u>Description</u>	<u>Days to Comply within issuance date</u>
Chapter 10 ENVIRONMENT*	Sec. 10-73	Declaration of public nuisance.	12
Chapter 16 OFFENSES*	Sec. 16-10	Maintenance of private property.	12
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54- 125	General requirements for the exterior and interior of structures.	12
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54- 127	Sanitation requirements.	12

Officer Durgin presented the facts of Case No. 06100118 regarding a vehicle with no tag stored at the rear of property, overgrown lawn, deteriorated exterior wall siding, and outdoor storage of building debris at 858 Magnolia Drive. Officer Durgin explained that as of February 14, 2007, the violations remained unresolved with the exception of the overgrown lawn. **Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than March 3, 2007, failing which a fine of \$250.00 per day, per violation, shall be imposed for every day the violation(s) continue to exist thereafter. Additionally, administrative hearing costs in the amount \$125.25 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.**

MOTION: Board Member Bursey made a motion to find the violation and to give the Respondent until March 3, 2007, to come into compliance, failing which a fine of \$250.00 per day, per violation, day shall be imposed and administrative costs in the amount of \$125.25 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Maibach and carried unanimously.

Agenda No.	Case Number	Date Issued	Req'd Action
4	07010021	1/5/2007	

Owner	Address
COHEN RONNIE L	142 EVERGREEN DR Town of Lake Park FL, 33403

Description
Prohibited outdoor storage, egress, eyesore, shed condition.

Violations

Ordinance/Regulation	Section	Description	Days to Comply within issuance date
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-125	General requirements for the exterior and interior of structures.	11
Chapter 54 BUILDINGS AND BUILDING REGULATIONS*	Sec. 54-92	Unsafe residential buildings.	11
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Outdoor storage for single-family and duplex sites.	11
Chapter 78 ZONING*	Sec. 78-35	Offensive, etc., uses.	11

Officer Durgin presented the facts of Case No. 07010021 regarding deteriorated roofing and siding on shed, window awnings/shutters in downward position, outdoor storage of goods, and shed condition which constitutes an eyesore, annoyance, and nuisance to the adjacent property owners and community, at 142

Evergreen Drive. Officer Durgin explained that as of January 30, 2007, the violations remained unresolved. Officer Durgin recommended that the Respondent be ordered to achieve compliance by no later than February 19, 2007, for Sec. 54-92; and by no later than May 15, 2007, for Sec. 54-125 and Sec. 78-35, failing which a fine of \$250.00 per day, per violation, shall be imposed for every day the violation(s) continues to exist thereafter. Additionally, administrative hearing costs in the amount \$165.25 shall be paid within ten (10) days of the Hearing. Photos were shown as evidence.

MOTION: Board Member Bursey made a motion to find the violations and to give the Respondent until May 15, 2007, to come into compliance for Sec. 54-125 and Sec. 78-35, and until February 19, 2007, to come into compliance for Sec. 54-92, failing which a fine of \$250.00 per day, per violation, day shall be imposed and administrative costs in the amount of \$165.25 are due within ten (10) days of this Hearing. The Motion was seconded by Board Member Maibach and carried unanimously.

Agenda No.	Case Number	Date Issued	Req'd Action
5	06120009	12/4/2006	

Owner	Address
LAMBREMONT JOHN L	520 SABAL PALM DR Town of Lake Park FL, 33403

Description
Boat/trl parking

Violations

Ordinance/Regulation	Section	Description	Days to Comply within issuance date
Chapter 68 OUTDOOR STORAGE*	Sec. 68-3	Outdoor storage for single-family and duplex sites.	3

Officer Durgin presented the facts of Case No. 06120009 regarding the outdoor storage of a boat and trailer parked within the front of the building line at 520 Sabal Palm Drive. Officer Durgin explained that as of December 15, 2006, the violation remained unresolved and was to be heard at the January 18, 2007, Code Compliance Board Meeting but due to the cancellation of the Meeting, was rescheduled until today. A follow-up inspection on February 6, 2007, indicated

that the violation remained unresolved. On February 12, 2007, the Respondent telephoned the office and indicated that he was in compliance. Another follow-up on February 13, 2007, confirmed that the boat and trailer had been removed from the property and an Affidavit of Compliance was issued. **Officer Durgin recommended that since the violation was not brought into compliance within 10 days prior to this hearing, and that the Respondent is in the boating industry, that an *Order Not to Repeat* be issued. Additionally, administrative hearing costs shall be waived due to the fact that the Respondent was in compliance prior to the Hearing. Photos were shown as evidence. Chairperson Dubois explained that Mr. Lambremont is her next-door neighbor.**

MOTION: Chair Desca Dubois passed the gavel and made a motion to issue an *Order Not to Repeat* regarding Sec. 68-3 Outdoor Storage. The Motion was seconded by Board Member Catasus and carried unanimously.

OTHER BUSINESS ITEMS

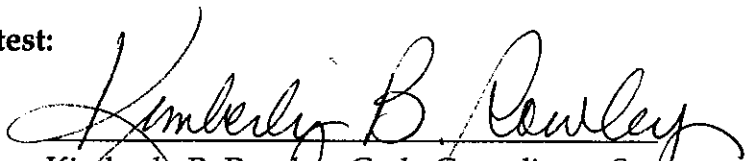
None

ADJOURNMENT

There being no further business items to come before the Code Compliance Board, the Meeting was adjourned at 7:42 p.m.


Desca Dubois, Chair

Attest:


Kimberly B. Rowley, Code Compliance Secretary

Approved on: 3/15/2007